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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,980	01/18/2002	Tina M. Clark	84013PCW	7892

7590

08/01/2005

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EXAMINER

CAMPBELL, JOSHUA D

ART UNIT

PAPER NUMBER

2178

DATE MAILED: 08/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/050,980

Applicant(s)

CLARK ET AL

Examiner

Joshua D. Campbell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This action is responsive to communications: Amendment filed on 06/02/2005
2. Claims 1-4 are pending in this case. Claims 1 and 3 are independent claims. Claims 1-3 have been amended.
3. The rejection of claims 1-4 under 35 U.S.C. 102(b) as being anticipated by Microsoft PowerPoint (hereinafter PowerPoint, published in 1999 by Microsoft Corporation) has been withdrawn due to amendments to the claims.
4. The rejection of claims 1 and 2 under 35 U.S.C. 101 because the claimed invention is directed toward non-statutory subject matter has been withdrawn due to amendments.
5. The rejection of claims 1 and 3 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention has been withdrawn due to amendments.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
7. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

8. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over PowerPoint (hereinafter PowerPoint, published in 1999 by Microsoft Corporation) in view of Computer Talk (Computer Talk: A Partial Glossary Of Contemporary Computer Terminology, published in 1998).

Regarding independent claim 1, PowerPoint discloses a method in which a first and second HTML pages are displayed in which a first image link links the first page to the second page so that the pages are displayed sequentially (first page, then second when the image link is selected) (Pages 1 and 2, items 1-3). PowerPoint also discloses that a third HTML page, which is to be inserted into a predetermined position either between the first and second pages, before the first page, or after the second page (Pages 6-11, items 6-8 which designate the predetermined position for page insertion, and items 9-11 which show the pages after insertion occurs). The links necessary to keep the navigation sequential are automatically added to the third page and any links on the first and second pages are corrected to maintain sequential display (Pages 12-14, items 12-15, which properly act to navigate the pages sequentially with the new third

page in its current position – between pages 1 and 2). PowerPoint does not disclose a method in which the pages are all part of a website and are remotely modified.

However, Computer Talk discloses that a CGI could have been used to operate the program PowerPoint remotely thus allowing the web server to run external programs and modify information on the server without removing it from the server (Page 5, "CGI (Common Gateway Interface):" of Computer Talk). It would have been obvious to one of ordinary skill in the art that the teaching of PowerPoint could have been operated on a web server using CGI because it would have extended the Web server functionality.

Regarding dependent claim 2, PowerPoint discloses a method in which the links are graphical icons (in this case arrows) (Page 1, item 1).

Regarding independent claim 3 and dependent claim 4, the claims incorporate substantially similar subject matter as claims 1 and 2. Thus, the claims are rejected along the same rationale as claims 1 and 2.

Response to Arguments

9. Applicant's arguments filed 6/2/2005 have been fully considered but they are not persuasive.

Regarding the arguments on pages 6-7, in reference to claims 1 and 2, specifically the limitation that the pages are HTML, the examiner believes that the PowerPoint reference teaches HTML documents and thus the rejection stands. As shown in the PowerPoint reference presented by the examiner, PowerPoint may be used and is functional to create HTML presentation, and thus act as a HTML generator

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and editor (Title Bar on Pages 6-11, "Microsoft PowerPoint – [Communicating Bad News.htm]). As shown in the reference the documents being edited and the document being added are in the format of ".htm" which is the three letter acronym for HTML (pages 4-11 of PowerPoint). Thus, the applicant's contention that it is well known in the art that PowerPoint is not an HTML generator/editor and does not contain HTML pages is not warranted, thus the rejection stands.

Regarding the arguments on pages 6-7, in reference to claims 1 and 2, specifically the limitation that the HTML pages exist on a website and the argument that the processing of the web page must be performed remotely, the examiner feels that it is not explicitly presented in the claim that all processing must be performed remotely, but based on the applicant's presentation in the arguments and the amendments to the claim an interpretation that the processing of the web pages will be performed remotely has been taken and the examiner believes the new grounds of rejection teaches the newly warranted interpretation. As shown by the definitions presented for a CGI (Common Gateway Interface), a CGI is "A standard for running external programs from a World-Wide-Web HTTP server," (FOLDOC, definition of Common Gateway Interface). External programs run by a CGI "can be written in any programming language that is supported by the operating system on which the Web server is running," (Glossary: IBM HTTP Server, page 2, "Common Gateway Interface (CGI)"). The motivation for this use of a CGI is for "extending Web server functionality by executing programs," as shown by Computer Talk. Thus, it would have been obvious to run an external program, such as PowerPoint, on a server thus allowing the program to act as a remote HTML

generator/editor making the changes to the website automatically (linking the HTML pages sequentially as shown by PowerPoint) after the user performs the editing actions (adding a page).

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D. Campbell whose telephone number is (571) 272-4133. The examiner can normally be reached on M-F (8:00 AM - 4:30 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JDC
July 21, 2005

William S. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
7/28/2005